

ORDINANCE NO. 2004 - 038

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE **TRANSPORTATION ELEMENT** (TO DESIGNATE SEVERAL ROADWAY SEGMENTS AND INTERSECTIONS AS CONSTRAINED ROADWAY AT LOWER LEVEL OF SERVICE (CRALLS) FACILITIES SPECIFICALLY FOR THE PURPOSES OF CONCURRENCY FOR THE PROPOSED SCIENTIFIC COMMUNITY OVERLAY PROJECT); AND AMENDING ALL ELEMENTS AS NECESSARY; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17;

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearing on June 11, 2004 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on June 28, 2004 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, Palm Beach County received on August 2, 2004 the Department of Community Affairs "Objections, Recommendations, and Comments Report," dated August 2, 2004 which was the Department's written review of the proposed Comprehensive Plan amendments; and

1 WHEREAS, the written comments submitted by the Department of
2 Community Affairs contained no objections to the amendments contained
3 in this ordinance;

4 WHEREAS, on October 5 and October 13, 2004, the Palm Beach County
5 Board of County Commissioners held a public hearing to review the
6 written comments submitted by the Department of Community Affairs and
7 to consider adoption of the amendments; and

8 WHEREAS, the Palm Beach County Board of County Commissioners has
9 determined that the amendments comply with all requirements of the
10 Local Government Comprehensive Planning and Land Development
11 Regulations Act.

12 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
13 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

14 Part I. Amendments to the 1989 Comprehensive Plan

15 Amendments to the text of the following Element of the 1989
16 Comprehensive Plan are hereby adopted and attached to this Ordinance
17 in Exhibit 1:

18 A. Transportation Element, to designate several roadway
19 segments and intersections as Constrained Roadway at Lower
20 Level of Service (CRALLS) facilities specifically for the
21 purposes of concurrency for the proposed Scientific
22 Community Overlay project;

23 B. Amending all elements as necessary for internal
24 consistency.

25 Part II. Repeal of Laws in Conflict

26 All local laws and ordinances applying to the unincorporated area
27 of Palm Beach County in conflict with any provision of this ordinance
28 are hereby repealed to the extent of such conflict.

29 Part III. Severability

30 If any section, paragraph, sentence, clause, phrase, or word of
31 this Ordinance is for any reason held by the Court to be
32 unconstitutional, inoperative or void, such holding shall not affect
33 the remainder of this Ordinance.

34 Part IV. Inclusion in the 1989 Comprehensive Plan

35 The provision of this Ordinance shall become and be made a part

of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184(1)(b), Florida Statutes, whichever is applicable. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the Florida Department of Community Affairs, Division of Community Planning, Plan Processing Team. An adopted amendment whose effective date is delayed by law shall be considered part of the adopted plan until determined to be not in compliance by final order of the Administration Commission. Then, it shall no longer be part of the adopted plan unless the local government adopts a resolution affirming its effectiveness in the manner provided by law.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, on the 13th day of OCTOBER, 2004.

ATTEST:
DOROTHY H. WILKINSON, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

By: Linda C. Hick
Deputy Clerk

By: Karen T. Marcus
Chair

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
COUNTY ATTORNEY

Filed with the Department of State on the 21 day of
October, 2004

EXHIBIT 1

A. Transportation Element, Constrained Roadway at Lower Level of Service (CRALLS) for the Mecca project.

REVISIONS: To add language in Policy 1.2-f designating segments as CRALLS facilities. The added text is shown in underlined.

REVISED Policy 1.2-f: The Palm Beach County Board of County Commissioners finds the following facilities are constrained facilities and development orders shall be evaluated using the specific level of service standards identified herein instead of the Policy 1.1-b general level of service standards. *(Unchanged text omitted for brevity)*

31) The following roadway segments are hereby designated as a CRALLS facility for the Palm Beach County Scientific Community Overlay (Mecca) project:

- a) Indiantown Road from Pratt-Whitney Road to Alexander Run Road as 2 lanes
 - Peak hour standard 1,670 vehicles per hour
 - Peak hour directional standard: 1,276 vehicles per hour
- b) Indiantown Road from Alexander Run Road to Jupiter Farms Road as 4 lanes
 - Peak hour standard 3,634 vehicles per hour
 - Peak hour directional standard: 2,286 vehicles per hour
- c) Indiantown Road from Jupiter Farms Road to Turnpike as 6 lanes
 - Peak hour standard 4,781 vehicles per hour
 - Peak hour directional standard: 3,264 vehicles per hour
- d) Indiantown Road from Turnpike to I-95 as 6 lanes
 - Peak hour standard 6,448 vehicles per hour
 - Peak hour directional standard: 4,126 vehicles per hour
- e) Indiantown Road from I-95 to Island Way as 6 lanes
 - Peak hour standard 7,164 vehicles per hour
 - Peak hour directional standard: 3,770 vehicles per hour
- f) PGA Boulevard from Seminole Pratt-Whitney Rd through Site as 6 lanes
 - Peak hour standard No CRALLS Required
 - Peak hour directional standard: 3,389 vehicles per hour
- g) PGA Boulevard from Site to Beeline Highway as 4 lanes
 - Peak hour standard 3,399 vehicles per hour
 - Peak hour directional standard: 2,348 vehicles per hour
- h) PGA Boulevard from Beeline Highway to Ryder Cup Boulevard as 4 lanes
 - Peak hour standard 3,261 vehicles per hour
 - Peak hour directional standard: 2,189 vehicles per hour
- i) PGA Boulevard from Ryder Cup Boulevard to Turnpike as 6 lanes
 - Peak hour standard 5,339 vehicles per hour
 - Peak hour directional standard: 2,888 vehicles per hour
- j) PGA Boulevard from Turnpike to Central Boulevard as 6 lanes
 - Peak hour standard 6,855 vehicles per hour
 - Peak hour directional standard: 3,814 vehicles per hour
- k) PGA Boulevard from Central Boulevard to Military Trail as 6 lanes
 - Peak hour standard 6,156 vehicles per hour
 - Peak hour directional standard: 3,489 vehicles per hour
- l) PGA Boulevard from Military Trail to I-95 as 6 lanes
 - Peak hour standard 6,042 vehicles per hour
 - Peak hour directional standard: 3,630 vehicles per hour

- m) PGA Boulevard from I-95 to Alternate A1A as 6 lanes
Peak hour standard 7,367 vehicles per hour
Peak hour directional standard: 4,356 vehicles per hour
- n) PGA Boulevard from Alternate A1A to Campus Drive as 6 lanes
Peak hour standard 6,552 vehicles per hour
Peak hour directional standard: 3,885 vehicles per hour
- o) Northlake Boulevard from Hall Boulevard to 140th Avenue as 4 lanes
Peak hour standard: No CRALLS Required
Peak hour directional standard: 1,956 vehicles per hour
- p) Northlake Boulevard from 140th Avenue to Coconut Boulevard as 4 lanes
Peak hour standard 3,430 vehicles per hour
Peak hour directional standard: 2,492 vehicles per hour
- q) * Northlake Boulevard from Coconut Boulevard to SR 7 as 4 lanes
Peak hour standard 4,029 vehicles per hour
Peak hour directional standard: 3,160 vehicles per hour
- r) * Northlake Boulevard from SR 7 to Beeline Highway as 4 lanes
Peak hour standard 4,925 vehicles per hour
Peak hour directional standard: 3,822 vehicles per hour
- s) Northlake Boulevard from Coconut Boulevard to SR 7 as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 3,006 vehicles per hour
- t) Northlake Boulevard from SR 7 to Beeline Highway as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 3,675 vehicles per hour
- u) Northlake Boulevard from Turnpike to Military Trail as 6 lanes
Peak hour standard: 4,841 vehicles per hour
Peak hour directional standard: 3,011 vehicles per hour
- v) Northlake Boulevard from Military Trail to I-95 as 6 lanes
Peak hour standard 5,671 vehicles per hour
Peak hour directional standard: 3,289 vehicles per hour
- w) Northlake Boulevard from I-95 to Congress Avenue as 6 lanes
Peak hour standard: 5,639 vehicles per hour
Peak hour directional standard: 3,123 vehicles per hour
- x) Orange Boulevard from Seminole Pratt-Whitney Road to 140th Avenue as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 883 vehicles per hour
- y) Orange Boulevard from 140th Avenue to Coconut Boulevard as 2 lanes
Peak hour standard: 1,642 vehicles per hour
Peak hour directional standard: 1,017 vehicles per hour
- z) Orange Boulevard from Coconut Boulevard to Royal Palm Beach Blvd as 2 lanes
Peak hour standard 1,700 vehicles per hour
Peak hour directional standard: 1,067 vehicles per hour
- aa) Okeechobee Blvd from Seminole Pratt-Whitney Road to 140th Avenue as 2 lanes
Peak hour standard: 1,758 vehicles per hour
Peak hour directional standard: 1,049 vehicles per hour
- bb) Seminole Pratt-Whitney Rd from Martin County Line to Indiantown Road as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 1,031 vehicles per hour
- cc) Seminole Pratt-Whitney Rd from Indiantown Road to Beeline Highway as 4 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 2,135 vehicles per hour

- dd) Seminole Pratt-Whitney Rd from Beeline Highway to PGA Boulevard as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 935 vehicles per hour
- ee) Seminole Pratt-Whitney Rd from PGA Boulevard to Northlake Blvd as 6 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 3,084 vehicles per hour
- ff) Seminole Pratt-Whitney Rd from Northlake Blvd to Orange Boulevard as 4 lanes
Peak hour standard 3,480 vehicles per hour
Peak hour directional standard: 2,181 vehicles per hour
- gg) Coconut Boulevard from PGA Boulevard to Northlake Boulevard as 2 lanes
Peak hour standard No CRALLS Required
Peak hour directional standard: 920 vehicles per hour
- hh) Coconut Boulevard from Northlake Boulevard to Orange Boulevard as 2 lanes
Peak hour standard 1,633 vehicles per hour
Peak hour directional standard: 1,446 vehicles per hour
- ii) Royal Palm Beach Blvd from Orange Boulevard to 60th Street as 2 lanes
Peak hour standard 2,196 vehicles per hour
Peak hour directional standard: 1,152 vehicles per hour
- jj) Royal Palm Beach Blvd from 60th Street to Persimmon Boulevard as 2 lanes
Peak hour standard 2,417 vehicles per hour
Peak hour directional standard: 1,544 vehicles per hour
- kk) Royal Palm Beach Blvd from Persimmon Boulevard to 40th Street as 4 lanes
Peak hour standard 3,229 vehicles per hour
Peak hour directional standard: 2,259 vehicles per hour

* The CRALLS designation shall no longer be in effect after completion of construction for the extension of PGA Boulevard from Seminole Pratt-Whitney Road to the Beeline Highway for segments q) and r) above.

The following intersections are hereby designated as a CRALLS intersections for the Mecca project:

- a) Intersection of Indiantown Road and Turnpike
Intersection Delay: 100.4 seconds per vehicle
- b) Intersection of PGA Boulevard and Turnpike
Critical Sum: 1,784 vehicles per hour
Intersection Delay: 178.9 seconds per vehicle
- c) Intersection of PGA Boulevard and Central Boulevard
Intersection Delay: 192.9 seconds per vehicle
- d) Intersection of PGA Boulevard and Military Trail
Intersection Delay: 160.8 seconds per vehicle
- e) Intersection of Northlake Boulevard and Beeline Highway
Critical Sum: 1,789 vehicles per hour
Intersection Delay: 187.8 seconds per vehicle
- f) Intersection of Okeechobee Boulevard and Royal Palm Beach Boulevard
Intersection Delay: 143.3 seconds per vehicle

CRALLS Mitigation Measures to be implemented and to be included in the concurrency approval and Development Order (D.O.) conditions for the Mecca project, in conjunction with this CRALLS include the following:

- 1) Connectivity Measures – Extensions of; a) Seminole Pratt-Whitney Road from Northlake Blvd to Beeline Highway, b) PGA Boulevard from Seminole Pratt-Whitney Road to Beeline Highway, and c) SR 7 from Okeechobee Blvd to Northlake Blvd.
- 2) Connectivity Measures – Expansions (widening) of Major Thoroughfare roads including;

a) Indiantown Road, b) PGA Boulevard, c) Northlake Boulevard, Okeechobee Boulevard, d) Beeline Highway, and e) Seminole Pratt-Whitney Road.

- 3) Connectivity Measure – Provide frontage road along PGA Boulevard.
- 4) Land Use / Site Planning Measure – Provide mixed/multiple land uses based upon the Master Development Plan dated May 2004 of the DRI/ADA process.
- 5) Land Use / Site Planning Measure – Concurrent with obtaining each certificate of occupancy for a non-residential building, implement parking strategies that provide preferred parking for alternative vehicles and car pool vehicles.
- 6) Land Use / Site Planning Measure – Provide/construct non-vehicular corridors throughout the development as each phase (based upon the DRI/ADA dated May 2004) is developed.
- 7) Land Use / Site Planning Measure – Allow home occupation, accessory uses, and work/live units.
- 8) Land Use / Site Planning Measure – Apply access management techniques along all roadways.
- 9) Land Use / Site Planning Measure – Affordable housing:
 - a. Each phase of the Mecca shall contain a minimum of three housing types. For each phase of the Mecca, at least 10% of the residential units to be constructed must be attainable for very low and low income households, and another 10% of these residential units to be constructed must be attainable for moderate income households. Units meeting this requirement shall include both renter occupied units and owner occupied units. The renter occupied units must continue to be attainable for a period of at least 20 years, and the owner occupied units must continue to be attainable for a period of at least 10 years. Attainability shall be assured through deed restrictions on these properties.
 - b. Of the residential units specified immediately above that must be attainable for very low and low income households, a maximum of 40% of these units must be renter occupied units, and the remaining units must be owner occupied units, and of the residential units specified immediately above that must be attainable for moderate income households, a maximum of 30% of these units must be renter occupied units, and the remaining units must be owner occupied units.
- 10) Transit Measure – Coordinate with Palm Tran to provide a bus route(s) to/from the site by 2015 or at the end of Phase 2 of the DRI/ADA, whichever comes first.
- 11) Transit Measure – Provide onsite bus stop facilities (intermodal facility), within one year of provision of a bus service, capable of handling two or more buses at a time with a covered waiting area of sufficient size to accommodate at least 2% of the employees.
- 12) Transit Measure – Provide an annual financial incentive in the form of a subsidy of at least 50% of the annual ticket cost to at least 15% of the persons employed at the project site for riding Tri-Rail and/or Palm Tran.
- 13) Transit Measure – Provide annually a proportionate share of the local transit service (trolley/shuttle) in conjunction with the Gardens Scientific and Technology Community (Vavrus North) project.
- 14) Transportation Demand Management (TDM) Measure – Provide an on-going ride-sharing information service to persons employed at the project site.
- 15) Transportation Demand Management (TDM) Measure – Proportionately and annually fund an Employee Transportation Coordinator position that will coordinate the individual businesses in both Mecca and Vavrus North projects.
- 16) Transportation Demand Management (TDM) Measure – Require businesses of 500 employees or more to have a Transportation Coordinator position.

- 17) Transportation Demand Management (TDM) Measure – Require businesses of 500 employees or more to accommodate alternate work hours and telecommuting.
- 18) The project will provide an additional contribution above the established road impact fee to help cover some of the funding shortfall for the various transportation related improvements, at 0.5 times the applicable impact fee to be used towards off-site roadway improvements.

Beginning March 1, 2010, the Mecca project shall submit an annual report to the County's Planning Director to demonstrate compliance with the mitigation measures required from Mecca by this policy. In the event that any of the mitigation measures above are not fulfilled the annual report will be submitted to the Board of County Commissioners (BCC) for consideration. The BCC may then amend or rescind any or all provisions of this policy.

Conditions may be required in order to meet the concurrency requirements of Palm Beach County. These shall be determined at the time of issuing the concurrency reservation. In addition, these CRALLS mitigation measures shall be detailed and included in the concurrency reservation and the Mecca D.O.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on October 13, 2004
DATED at West Palm Beach, FL on 11/2/04
DOROTHY H. WILKEN, Clerk
By: Wiane Brown D.C.